IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 3929 of 2007

AJEET SINGH

V/S

A.D.J. ,NO.2, SRI GANGANAGAR & ORS.

Mr. CS KOTWANI, for the appellant / petitioner

Date of Order : 5.7.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

By the impugned order, the learned trial Court has dismissed the application of the petitioner for amendment of the plaint. It has been found by the learned trial Court that the plea sought to be raised has no recital in the agreement, and the plea is clearly an afterthought one.

A look at the application for amendment also shows that all that has been pleaded is that this fact is not pleaded in the plaint, and no fact has been pleaded to satisfy the requirements of the judgment of Hon'ble the Supreme Court in Ajendraprasadji N. Pande & Anr. Vs. Swami Keshavprakeshdasji & Ors. reported in JT 2007(1) 579 read with proviso to Order 6 Rule 17. In that view of the matter, I do not find any ground to interfere with the impugned order. The writ petition is, therefore, dismissed summarily.

(N P GUPTA),J.

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